

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

December 31, 2007

DIVISION ONE

B191454 Van Heyningen (Not for Publication)
 v.
 Pacific Maritime Association et al.

The judgment is affirmed. Respondent(s) to recover costs.

Rothschild, J.

We concur: Mallano, Acting P.J.
 Vogel (Miriam A.), J.

B196479 People (Not for Publication)
 v.
 Casas

The November 20, 2006 order denying Casas' motion to vacate his
February 3, 1989 conviction is affirmed.

Rothschild, J.

We concur: Mallano, Acting P.J.
 Jackson, J. (Assigned)

DIVISION ONE (continued)

B192564 People (Certified For Partial Publication)
 v.
 Gray

The judgment is affirmed.

Rothschild, J.

We concur: Vogel (Miriam A.), Acting P.J.
 Jackson, J. (Assigned)

B199231 Hollander et al. (Not for Publication)
 v.
 XLCapital Ltd. et al.

The judgment is reversed. If defendants renew their motion to dismiss for lack of jurisdiction, the trial court is directed to allow the plaintiffs a reasonable time to conduct discovery on the issue, taking into consideration, among other things, both the complexity of the discovery sought and the defendants' cooperation therewith. Plaintiffs are awarded their costs on appeal.

Rothschild, J.

We concur: Mallano, Acting P.J.
 Vogel (Miriam A.), J.

DIVISION TWO

B194922 Noble
 v.
 Kaplowitz

Filed order denying petition for rehearing.

DIVISION THREE

B195299 Garrit (Not for Publication)

v.
Garrit

The judgment is affirmed. Costs on appeal are awarded to defendant Tawana Garrit.

Kitching, J.

We concur: Klein, P.J.
Aldrich, J.

B193450 County of Los Angeles (Not for Publication)

v.
Allegheny Casualty Company

The order denying the motion of Allegheny Casualty Company to vacate summary judgment on bail bond forfeiture, to recall and set aside bail bond forfeiture, and to exonerate bail bond is affirmed. Costs on appeal are awarded to respondent County of Los Angeles.

Kitching, J.

We concur: Klein, P.J.
Aldrich, J.

DIVISION SIX

B194517 People (Not for Publication)
v.
Pacheco

The sentence is reversed, and the matter is remanded for resentencing consistent with the views expressed in this opinion. The trial court is directed to impose a consecutive three-year prison term for each prior conviction not struck pursuant to Penal Code section 1385. Pursuant to section 11372.5, a criminal laboratory analysis fee of \$50 shall be imposed for the offense of selling cocaine (count 1), plus a state penalty assessment of \$50 (Pen.Code, section 1464, subd. (a)), and a county penalty assessment of \$35 (Gov.Code, section 76000, subd. (a)). Pursuant to section 11372.7, subdivision (a), a drug program of \$150 shall be imposed for the offense of selling cocaine (count 1), plus a state penalty assessment of \$150, and a county penalty assessment of \$105. Pursuant to Penal Code section 1465.8, subdivision (a)(1), a court security fee of \$20 shall be imposed for each of appellant's two convictions. Thus, the total court security fee shall be \$40. After resentencing, the clerk of the superior court is directed to prepare an amended abstract of judgment and to forward a certified copy of the amended abstract to the Department of Corrections and Rehabilitation. The amended abstract must separately show the amount of each fee and each penalty assessment. The request to abandon the appeal is denied. In all other respects, the judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

DIVISION SEVEN

B196926 People (Not for Publication)
v.
Miller

The judgment is affirmed. The matter is remanded to the trial court for correction of the abstract of judgment to reflect the trial court's imposition of one enhancement under section 667.5, subdivision (b) and one enhancement under section 12022, subdivision (b)(1). The clerk of the superior court shall forward a certified copy of the abstract of judgment to the Department of Corrections.

Zelon, J.

We concur: Perluss, P.J.
Woods, J.

B194160 People (Not for Publication)
v.
Kaempf

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.
Woods, J.

B197479 People (Not for Publication)
v.
Burton

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.
Woods, J.